



ADLSI

Independent Voice of Law

LAWNEWS THIS ISSUE:

Dreaming of the Cloud? Take a short reality check

Farewell to a colourful legal figure

Holiday reading ideas for your Christmas stocking

LAWNEWS

ISSUE 43 4 DECEMBER 2015

www.adls.org.nz

+ Technology and the law

CLOUD COMPUTING – SHOULD WE MOVE?

By Lloyd Gallagher, Director/Arbitrator/Mediator, Gallagher & Co Consultants Ltd

This is the last in a series of articles on Cloud computing which has appeared in *Law News* over the past few months.

Topics covered include what to consider when looking to move to Cloud services, law firm duties, privacy, security, taxation, access and lockouts (see Issue 27, 14 August 2015, Issue 32, 18 September 2015, Issue 37, 23 October 2015 and Issue 40, 13 November 2015).

This final article looks at whether a move to the Cloud is right for your firm or client, what options are available and what alternatives can be implemented to get the same service, without falling into the difficulties I have discussed.

Calculating costs for data access

First, it is important to consider cost of data storage, transfer and service calculation, to make sure that, when suppliers quote on Cloud services, any proposed solution provides what the firm actually needs without increasing costs.

The firm must ask itself: how much data is to be held on the Cloud? How often is it to be accessed, and what devices need said access? Each of these questions involves an assessment of data sizes and general use so that appropriate bandwidth and data storage can be made available for portable devices (laptops included) and the backbone network at the office (each computer that will access the data).



The Cloud ... to move or not to move, that is the question.

Online calculators can be a useful tool in assessing how much bandwidth etc. will be appropriate – for an example of such a calculator, see <http://www.thecloudcalculator.com/calculators/file-transfer.html>.

Careful consideration needs to be given as to what data may need to be held off-site, as outbound bandwidth is often small (such as with ADSL which provides only 700 to 800 kbps in upload bandwidth, which equates to several hours of transfer time).

When considering access from mobile devices, it should be noted that although some carriers provide good bandwidth access (such as 4G), bandwidth caps are placed on the network and additional charges apply to over-use.

Accordingly, firms need to consider carefully who needs access to files and if they have WiFi access outside of the office, and whether mobile users' contracts need to be modified to allow for the additional data.

The firm must also consider how much the file base is likely to grow so that calculations can be made for cost increases in Cloud provisioning. Most Cloud providers charge by the space, cpu and memory usage, so adding more files and users increases the need for more data storage space and memory.

A rough calculation is 15 users (i.e. individual devices) per gigabyte of ram. As a rough example, a Cloud service to handle 80 users

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CLOUD COMPUTING – SHOULD WE MOVE?

Continued from page 1

would require 1 cpu core (that is physical cpu not virtual or thread cpu), 80GB hard drive space to provide 1 GB per user, and 5GB memory.

Efficiency

The next step is for the firm to consider its current workflow, staff engagement, communication techniques and policies to see if a Cloud solution would enhance performance or detract from it. Current law firm infrastructure often relies on an in-house server that allows access to a storage and access database with management and trust accounting systems (PCLaw and LAWbase from LexisNexis are some examples). Often, these systems are deployed over old-fashioned protocols which are not compatible with TCP/IP (internet protocol), which means a software change or upgrade may be needed. Further, some systems, even if compatible with TCP/IP, transmit such large amounts of data that accessing the system via the internet is simply impractical due to the cost of bandwidth/data usage.

Client information and instructions are often recorded in note systems (such as OneNote or PCLaw) to help track information. The ability to search these notes and obtain information directly assist with compliance of rules 4.4.1 and 7 of the Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008. Law firms therefore need to consider how their current IT system meet these obligations and whether Cloud services may assist with effective compliance.

Firms should also consider how their staff utilise their time when inputting data, whether information is transferred from one system to another (thus creating duplication), and whether a Cloud-based application will help. Most staff use an email application (for example, Microsoft Outlook) to shuffle emails, schedule appointments and manage contacts – this is often duplicated into a case management platform resulting in a number of wasted hours. Consideration should be given to whether a Cloud app would solve the problem or if a third party app would allow the gap to be bridged so that Outlook can save the information into a Cloud service. The firm can then decide if it is worth the expenditure to do so, depending on the size of the firm, what mobile devices are used, how data is tracked, and the way information needs to be handled to maintain compliance with obligations under the law.



Lloyd Gallagher

Many firms do not realise that they can in fact implement an in-house Cloud using secure software, set up on an in-house server with firewall adjustments, allowing access from devices across the internet framework. This type of set-up requires little to no upfront investment and provides all the benefits of an off-site Cloud, so rushing into an off-site Cloud may not be the correct approach.

In-house solutions may provide a better way

While much of the discussion in this series has related to internet Cloud systems, these are not the only solutions available. Many firms do not realise that they can in fact implement an in-house Cloud using secure software, set up on an in-house server with firewall adjustments (a service that can be leased, maintaining the operating expenditure benefit), allowing access from devices across the internet framework. This type of set-up requires little to no upfront investment and provides all the benefits of an off-site Cloud, without the compliance issues highlighted in previous articles. So rushing into an off-site Cloud may not be the correct approach and each firm should carefully consider what is best for it.

On a final note, it is likely that a number of lawyers within firms may have already engaged Cloud services (either free or paid) for their own efficiency, unknown to the law firm for which they work. Due to the compliance issues and the risks highlighted in the privacy and security article of this series, partners of firms should undertake an audit of staff as to their Cloud usage and set a Cloud service policy that makes sure that the firm does not become liable for a breach of compliance through an unwitting staff member.

Conclusion

Over this series I have endeavoured to briefly highlight and deal with issues in Cloud implementation ranging from professional responsibility, privacy, security, access, compliance issues and taxation, to whether the move is actually worth making. While I have outlined some negative issues relating to Cloud services, it is important to note that the Cloud offers a great deal of benefit if implemented with appropriate policies to maintain legal compliance and according to the firm's actual needs. I have also tried to assist firms when providing advice to clients considering using the Cloud.

To my mind, no matter which way you choose to deal with it, it is clear that Cloud services are likely to continue to impact legislation and law firms in the future. Greater benefits will arise and the Cloud will remain a force in software development for years to come. I hope this series has been both informative and instructive and I wish you all the best with your Cloud computing.



LAWNEWS

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Editor: Lisa Clark

Publisher: Auckland District Law Society Inc.

Editorial and contributor enquiries: Lisa Clark, phone (09) 303 5270 or email lisa.clark@adls.org.nz

Advertising enquiries: Chris Merlini, phone 021 371 302 or email chris@mediacell.co.nz

All mail for the editorial department to: Auckland District Law Society Inc., Level 4, Chancery Chambers, 2 Chancery Street, Auckland 1010, PO Box 58, Shortland Street, DX CP24001, Auckland 1140. www.adls.org.nz

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+ *Tribute*

Law News remembers well-known Auckland legal figure John McKail Geddes

The legal and music worlds of Auckland lost a long time contributor in November with the death at 86 of John McKail Geddes, for much of his life resident with his wife Claire in Titirangi.

The old St Benedict's Church in Newton, with its fine acoustics, and the Mercury Theatre nearby, resounded with Geddes tributes presented in words and song and with instruments. Friends and family in large numbers gathered to recall the life of a uniquely talented and warm-hearted entertainer, sportsman, singer, player of many instruments, not least a signature sousaphone, and well-known practitioner of the law for more than 50 years.

Born in 1929 in Auckland city, his parents shifted to Titirangi to a family home called Rangiwai, which maintained for the next 75 years a tradition of warm hospitality often built around music, ranging from Lieder singing to light opera to jazz. Mr Geddes was educated at King's College and the then Auckland University College, obtaining an Arts degree as well as one in Law.

After spending time in the United Kingdom and travelling widely in Europe, he returned to Auckland to take up a partnership in the well-known Queen Street law firm of Rudd Garland and Horrocks, where he added flair and an ability to undertake work of many kinds.

He was the honorary solicitor for the Arts



Society and the University Senior Common Room, which became the proprietors of Old Government House when the Governor-General's residence shifted to Epsom in the early 1960s, as a result of a famous bequest. He led the efforts of the Trust underpinning the Mercury Theatre when it commenced operations. The Ruapehu Ski Club and the Professional Club were other organisations that drew on his legal and entrepreneurial skills.

Into the middle of his life then came Claire, whose portfolio of interests both encouraged and


moderated his manifest activities.

Mr Geddes was a long-term supporter of activities of the Auckland District Law Society. One very popular activity of its many years was promotion and conduct of yearly conferences at Waitangi in the Bay of Islands which covered serious legal endeavour as well as more light-hearted fare.

Mr Geddes joined the late Judge Mick Brown in forming the Brown and Pink Minstrels whose members wrote and performed satirical songs and musicals in which those who played instruments joined in over many happy years of encores again and again.

After the Brown and Pink Minstrels emerged a group devoted to music and in particular to Dixieland jazz. The Lex Pistols played for 30 years in many venues and were present at Mr Geddes' wake at the Mercury Theatre, playing in full measure (albeit without their original compere and sousaphonist Geddes).

In later years, Mr Geddes also practised law in sole practice in Titirangi, in West Auckland, where he maintained warm associations with businesses and fellow lawyers. He is survived by Claire and two sons, Patrick and Hugo, and their families.

ADLSI and *Law News* extend every sympathy to Mr Geddes' family and friends at this time. 

+ *Judicial appointment*

Employment Court Judge appointed


Christchurch lawyer Kerry Smith has been appointed an Employment Court Judge.

Mr Smith has been a senior litigation partner with Buddle Findlay in Christchurch, having joined the partnership in 1991. He practises primarily in employment law, resource management and civil litigation. He is

currently the Deputy Convenor, Canterbury Westland Lawyers Standards Committee No. 1 of the New Zealand Law Society.

Mr Smith has also been appointed an acting District Court Judge to provide temporary assistance in the civil jurisdiction.

These appointments will initially be based in Wellington but will relocate to the Christchurch Justice and Emergency Services Precinct when it opens in early 2017.

Judge Smith will be sworn in on 29 January 2016 in Christchurch. 

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+ *Young lawyers*

Meredith Connell team reigns supreme at RMLA resource management moot

Meredith Connell lawyers emerged victorious as young Resource Management Law Association (RMLA) finalists battled it out for the prized Judge Bollard Memorial Trophy at the Young RMLA's 2015 Moot Competition.

A formidable two-woman team, comprising Anna McConachy and Alice Balme from Meredith Connell, put forward a convincing performance against tough competition from Rowan Ashton (of Stuart Ryan) and Alex Devine (of Ellis Gould) during the competition finals held at the Auckland Environment Court on Monday 16 November 2015.

Presiding over the final, his Honour Judge Newhook noted that his had been a "difficult decision". Both parties delivered a "flawless presentation of the facts", with "persuasively developed arguments".

His Honour remarked: "The standard of mooting this year was extremely high, and marking the two finalist teams on a competitive basis to arrive at a result was pleasurablely difficult!"

Pitch, pace, volume and mannerisms are key to a compelling courtroom delivery. In this respect, Judge Newhook underscored the importance of juniors gaining exposure to the courtroom environment in order to cultivate the appropriate mannerisms and tone.

This year's moot challenge covered various scenarios including waivers for late appeals and late section 274 notices, strike out applications, applications for enforcement orders and issues



Moot winners Alice Balme and Anna McConachy from Meredith Connell with his Honour Judge Newhook




Runners-up Alex Devine (Ellis Gould) and Rowan Ashton (Stuart Ryan)

of scope. Seven participating teams vied for the prestigious title over a series of four mooting dates between 8 October and 16 November this year. The moot judges, all of whom are seasoned resource management practitioners, included Claire Kirman, Marija Batistich and James Hassall presiding over the first round, with Russell Bartlett QC and Derek Nolan presiding over the second round.

The moot provided an excellent opportunity, both for participants to gain courtroom experience and for senior practitioners sitting as moot judges to mentor young lawyers.

"I encourage employers to allow their younger professional staff to observe court practice by skilled seniors, and to steadily build their own involvement in the presentation in Court of parts of cases. These are all means by which court-craft can be learned by young practitioners," said Judge Newhook.

Founded in 1992, the Resource Management Law Association (RMLA) is a multi-disciplinary membership organisation with over 1100 members including lawyers, planners, environmental managers, scientists, engineers, architects, local authority and central government officers. 

+ *Event report – New Zealand Society for Legal and Social Philosophy*

State redress as transitional justice

By Lars Moen

"Transitional justice" is a relatively new field in legal and political theory, first appearing in the early 1990s. Its definition is still subject to controversy, as scholars have reached no consensus upon what a "transition" involves.

However, it is generally thought that transitional justice is those measures that redress the legacies of massive human rights abuses in the context of regime-change. These measures include criminal prosecutions, truth commissions, official apologies, and reparations programmes.

In his 2014 book *Transitional Justice in Established Democracies*, Dr Stephen Winter argues that "state redress" is a form of transitional justice. State redress is a state's attempt, usually through acts and

programmes, to rectify its past wrongs. Dr Winter focuses upon redress in established liberal democracies and argues that state redress helps legitimise current regimes by rectifying injustices that burden their legitimacy.

One example Dr Winter uses in his book is the 2003 apology and \$41 million settlement with Ngati Ruani, a Taranaki-based iwi, for breaches of the Treaty of Waitangi and wrongful land confiscation in the 1860s.

Dr Winter argues that wrongdoing by the New Zealand state damages the legitimacy of the Crown vis-à-vis all New Zealand citizens. Remedying those injuries improved New Zealand's position.

The New Zealand Society for Legal and Social Philosophy recently hosted a symposium at which Dr Winter presented, and Dr Glen Pettigrove and Dr Arie Rosen (of The University of Auckland's Department of Philosophy and

Law School respectively) offered their comments.

Dr Pettigrove understands Dr Winter's view of state redress as relevant only if past wrongs were committed under a regime that can be considered the same entity as the current regime. As states can be reorganised, Dr Pettigrove fears that a principle based upon this view might "allow some states off the hook too easily".

A more plausible view, he argues, would focus upon the length of time since the wrongdoings, and whether present-day identities are built around the history associated with the grievances caused by the wrongs.

Dr Rosen pointed out that, although the cases discussed by Dr Winter largely relate

Continued on page 6

+ Holiday reading and gift ideas ...

Four great titles to give or enjoy this Christmas

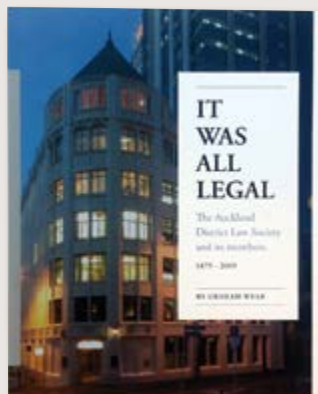
It Was All Legal: The Auckland District Law Society and its members 1879-2009, by Graham Wear

Lawyers are the central characters of many novels. The real life stories of many lawyers can be just as interesting. This book is a fascinating story of Auckland's colourful lawyers and the District Law Society to which they all belonged. Set against the history of Auckland and New Zealand as a whole, it spans from the mid-19th century to the first decade of the 21st century.

Price: \$43.43 plus GST (\$49.95 incl. GST)*

Price for ADLSI Members: \$34.73 plus GST (\$39.95 incl. GST)*

(* + Postage and packaging)



A Walking Guide to New Zealand's Long Trail: 113 Walks from Cape Reinga to Bluff

This is the guidebook of "Te Araroa Trail: The Long Pathway", a continuous trail running from Cape Reinga to Bluff, 35 years in the making, which officially opened in late 2011. The book maps the 3000-kilometre trail in 40-kilometre sections. Each of the 12 regional sections opens with a stunning two-page 3D map.

Price: \$43.47 plus GST (\$49.99 incl. GST)*

Price for ADLSI Members: \$39.12 plus GST (\$44.99 incl. GST)*

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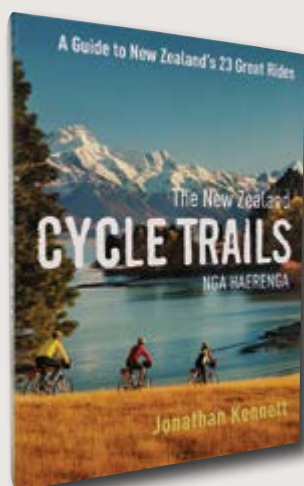
The New Zealand Cycle Trails: A Guide to New Zealand's 23 Great Rides

This spectacular book is stuffed full of useful information on the different trails – how to get there, what you will see, level of difficulty, things to take, places to eat and places to stay. There is fascinating background information on each area – its history and the local flora and fauna – as well as on the ride itself.

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Face to Face: Conversations with Remarkable New Zealanders

Face to Face offers intimate portraits of the lives of twelve remarkable New Zealanders. Through conversations with Paul Moon, one of the country's most acclaimed historians and cultural commentators, and through the lens of award-winning photographer Jane Ussher, we get to know these extraordinary Kiwis like never before, namely Sir Richard Hadlee, Patricia Grace, Sir Robert Jones, Hone Harawira, Fiona Pardington, Sir Peter Gluckman, Michael Houstoun, Sir Miles Warren, Dame Alison Holst, Sir Lloyd Geering, Tim Finn and Mai Chen.

Price: \$43.48 plus GST (\$50.00 incl. GST)*

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+ ADLSI Council

Contact details for ADLSI Council

Here are the contact details for your ADLSI Council. They welcome your queries and suggestions.

Brian Keene QC (President)
Ph. 09 366 0306 E. brian@keene.co.nz

Joanna Pidgeon (Vice-President)
Ph. 09 337 0826 E. joanna@pidgeonlaw.co.nz

John Brandts-Giesen
Ph. 03 313 4010 E. johnbg@bgmlawyers.co.nz

Vikki Brannagan
E. vikki.atack@gmail.com

John Hagen
Ph. 09 309 1689 or 021 452 326
E. john@hagen.co.nz

Stephanie Nicolson
Ph. 09 309 2500 E. sjn@lojo.co.nz

David Roughan
Ph. 09 435 2261 E. david@norlaw.co.nz

Mary Anne Shanahan
Ph. 09 827 6106 or 09 827 2783
E. mary@shanahan-solicitors.co.nz

William Spring
Ph. 09 486 1609 E. springlaw@extra.co.nz

Continued from page 4, "State redress as transitional justice"

to injustice committed by the state, there are significant examples of state institutions not being the main perpetrator of such injustices.


Among these examples, he argued, are wrongs against indigenous people in settler colonies. Dr Rosen questioned the appropriateness of state redress in such cases.

Dr Rosen also pointed out that past injustices only have an indirect effect upon contemporary legitimacy. This raises a problem with understanding state redress as a mechanism legitimising the new regime. It can send a positive signal, but state redress is not legitimising in itself.

Interestingly, Dr Rosen suggested that redress is a problem of societal injustice rather than institutional legitimacy. He therefore argued that state redress might have more to learn from the theory of global justice, which concerns the worldwide distribution of goods and burdens, than from transitional justice.

As Dr Rosen pointed out, the current global distribution of wealth and wellbeing between peoples is largely due to past and present exploitation of the poor by the rich.

Dr Winter's view of state redress as a form of transitional justice is interesting, and so are its criticisms. It may allow some states to omit their responsibility to deal with their past wrongdoings, and we should also keep in mind that not only states can be held accountable for large-scale rights abuses of the past.

The New Zealand Society for Legal and Social Philosophy hosts regular meetings in both Auckland and Wellington. For details of its activities, please visit <http://nzlsp.wordpress.com/>. 


+ News from the courts, notice to practitioners

Addressing parties of Asian descent in court

Chief High Court Judge the Hon Justice Venning has circulated a letter concerning the correct and appropriate addressing of counsel and witnesses of Asian descent. Practitioners are advised to take note of the Chief Judge's comments, as follows:

"There are an increasing number of litigants (and counsel) of Asian descent appearing before our Courts (particularly in Auckland).

At our recent High Court Judges' conference a number of Judges noted that it can be difficult to ensure they were addressing parties, counsel and witnesses appropriately. Judges noted there are inconsistent practices in the intitlements of pleadings and the way the parties are referred to in written submissions and orally. Not all Chinese names for example are set out in the traditional Eastern order in Court papers. Some cultures use personal titles like Mr and Ms with forenames rather than surnames when speaking formally.

The Judges would be grateful for the assistance of solicitors and counsel to ensure that, as far as possible, they are addressing or referring to the parties appropriately in Court and in judgments. It would be helpful if, for instance, surnames on pleadings could be highlighted or underlined. In Court, it would help if counsel could introduce parties or witnesses in an appropriate way to identify the proper surname and honorific for the Court." 

Property Disputes?

The Property Disputes Committee provides a simple, low cost process for resolving legal issues regarding property involving lawyers.

The Committee members are all ADLSI practitioners who have a wide range of experience. The Committee guidelines can be viewed at www.adls.org.nz and set out the application procedure. Practitioners are asked to check the guidelines to ensure the Committee is the appropriate forum for their dispute.

For further information please contact Ben Thomson on (09) 306 3994.



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The firm offers a unique succession opportunity to develop towards partnership over time. They have a wonderful culture offering top of the line systems to aid in remote work from home or from their branches. They're a friendly and welcoming bunch who fit well with each other and are a true part of the community.

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They seek an experienced associate who is keen to progress. Your level of experience will already see you comfortable in providing a high standard of work on your own. You'll be a people person too. One who enjoys a genial environment, and close client ties. Working alongside a very affable and experienced partner, you'll have the opportunity to be introduced to a great client base. In addition, you'll have the opportunity to be developed in rural legal work as part of your overall scope if this is your desire. It's certainly a great opportunity to do so.

Don't delay in applying now as true succession roles that grow your skills and your partnership opportunities don't offer themselves readily.

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+ Wills

Please refer to deeds clerk. Please check your records and advise ADLSI if you hold a will or testamentary disposition for any of the following persons. If you do not reply within three weeks it will be assumed that you do not hold or have never held such a document.

Murray James BRATTON, late of 1B Fernleigh Avenue, Waiuku, Driver, Aged 50 (Died 20'07'2008)

Tina DALTON, late of 6 Vigo Place, Papatoetoe, South Auckland, Accounts Clerk, Aged 48 (Died 10'08'2015)

Anna DUFFY aka KENNEDY, late of St Andrews Village, 207 Riddell Road, Glendowie, Auckland, Retired, Aged 82 (Died 11'10'2015)

Evelyn Alice IMHOF, late of 23a Cobham Court, Kerikeri, Retired, Aged 92 (Died 21'11'2015)

Donald Claude LANG, late of Spectrum Care, 111 Rautawhiri Road, Helensville, Aged 63 (Died 10'10'2015)

Philip Paul MILLER, late of 9 Huggan Place, Edgware, Christchurch, Aged 59 (Died 25'08'2015)

Hervig Arnold WAGNER, late of 28 Brennan Avenue, Te Atatu Peninsula, Auckland, Retired, Aged 81 (Died 07'10'2015)

Lois Gloria WEEDALL, late of 39 Liverpool Street, Epsom, Auckland, Aged 89 (Died 13'05'2015)

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Featured CPD

Tuesday
16 February
2016
4pm – 6.15pm

2 CPD HOURS



Seminar



Live stream

Employment Issues in the Immigration Context

Employment issues in the immigration context (and, equally, immigration issues in the employment context) can raise complex and novel issues for lawyers. This seminar will give attendees insights from both Immigration New Zealand (“INZ”) and lawyers practising in these areas.

Learning Outcomes:

- Learn how to deal with current issues with employment agreements, the employment relationship (including its commencement and termination) and the employment processes in the immigration context.
- Acquire best practice tips for dealing with INZ on employment issues, and insights about the new online application process.
- Find out about useful resources and where to find them on the new INZ website.
- Learn about the recent amendments to the Immigration Act and what they mean for employers and employees.

Who should attend?

Employment and immigration lawyers needing an introduction or refresher on employment issues in the immigration context. Licensed immigration advisors would also benefit from attending.

Presenters: **Simon Mitchell**, Barrister, Unity Chambers; **Peter Moses**, Barrister; **Imshad Ali**, Technical Advisor, Henderson, Visa Services, Immigration New Zealand, MBIE; *Chair:* **Peter Moses**, Barrister

Wednesday
17 February
2016
12pm – 1pm

1 CPD HOUR



Webinar

Child Support: Understanding and Working with the Formula

Despite changes to Child Support having taken effect in April 2015, many lawyers do not fully comprehend the formula itself, nor the implications of the changes. This webinar will cover both the current situation and the fresh suite of changes due to take effect in April 2016, enabling you to better advise your clients and strategise accordingly.

Learning Outcomes:

- Gain a better understanding of the Child Support formula, its components and flexibility, including through worked examples in the written materials.
- Learn more about working with the formula in Care of Children Act and relationship property matters, and how to craft a robust order.
- Gain insights into the enforcement of orders and IRD’s approach.

Who should attend?

Family lawyers at all levels who deal with care of children and relationship property matters. Accountants, tax advisers, refuge managers and family budgeters etc may also benefit from attending.

Presenter: **Jan Chappell**, Senior Solicitor – Legal and Technical Services, Inland Revenue; *Chair:* **Brian Carter**, Barrister, Bastion Chambers

Tuesday
23 February
2016
12.30pm – 5pm

4 CPD HOURS



Conference

Property Law Half-Day Conference

Enhance your property law practice and become updated in recent developments through this intensive 4-hour session, with topics and presenters as follows:

- **End of Lease Obligations: Don’t be Caught Out!**; *Presenter:* **Joanna Pidgeon**, Principal, Pidgeon Law
 - **The Keys to Unlocking Landlocked Land**; *Presenter:* **Elizabeth Toomey**, Professor, School of Law, University of Canterbury
 - **Tenancy in Relation to Sale and Purchase Agreements**; *Presenter:* **Amy Johns**, Senior Associate, Simpson Grierson
 - **Resource Management: Considerations and Tips for Property Lawyers**; *Presenter:* **Sue Simons**, Partner, Berry Simons
 - **Residential Property Tax: Shedding Light on New Legislation**; *Presenters:* **Dominic Landon**, Partner, Buddle Findlay; **Tony Wilkinson**, Partner, Buddle Findlay
- Chair:* **Ian McCombe**, Partner, Brookfields

Wednesday
24 February
2016
12pm – 1pm

1 CPD HOUR



Webinar

Commercial Law Series: Shareholders’ Agreements – A Shag for Every Purpose

Shareholders’ agreements are not a one-size-fits-all document. Each shareholders’ agreement needs to be crafted to reflect the company’s shareholding structure and growth aspirations. This webinar will compare and contrast the different types of shareholders’ agreements.

Learning Outcomes:

- Understand when a shareholders’ agreement is necessary.
- Learn about tailoring shareholders’ agreements to meet the needs of different types of businesses and different ownership interests.
- Understand why provisions that are essential in some forms of shareholders’ agreement are counter-productive in others.
- Be better equipped to advise on common issues arising when preparing shareholders’ agreements.

Who should attend?

Corporate/commercial lawyers. General practitioners, as well as those who provide structuring advice to companies and shareholders, are likely to find this topic of interest. Accountants, directors and shareholders may also benefit from attending.

Presenters: **Andrew Simmonds**, Partner, Simmonds Stewart; **Julie Fowler**, Partner, Simmonds Stewart

CPD in Brief

Demystifying the Cloud: What It Means To You and Your Clients – 1 CPD hr

Wednesday 10 February 2016, 12pm – 1pm

Many businesses are, or are considering, procuring services that are offered “in the cloud”. This webinar will assist lawyers who are intending to use cloud services within their own firms, and those with clients seeking advice on cloud services, to understand some of the key issues relating to the use of cloud services and their associated terms and conditions of use.

Presenters: **Edwin Lim**, Partner, Hudson Gavin Martin; **Anchali Anandanayagam**, Senior Associate, Hudson Gavin Martin



Health and Safety at Work: Getting Reform-Ready – 2 CPD hrs

Tuesday 1 March 2016, 4pm – 6.15pm

A new health and safety regime comes into effect on 4 April 2016. Preparing clients for, and advising them on, the new reforms will be essential for many lawyers. This seminar will shed light on the new legislation, provide insights into how WorkSafe will enforce the regime, and offer advice on how best to comply with the provisions of the Act as well as how to deal with prosecutions if they occur.

Presenters: **Fletcher Pilditch**, Barrister, Richmond Chambers; **Mike Hargreaves**, Chief Legal Adviser, WorkSafe; **Sam Moore**, Associate, Meredith Connell



Company Directors: Risk of Civil Liabilities for Third Parties – 2 CPD hrs

Thursday 10 March 2016, 4pm – 6.15pm

The risks for company directors of civil liability to third parties are many and varied. This seminar will address liability in tort, under the Fair Trading Act 1986 and Companies Act 1993, to investors and in relation to Phoenix companies.

Presenters: **Daniel Kalderimis**, Partner, Chapman Tripp; **Chris Noonan**, Associate Professor, Faculty of Law, University of Auckland

Chair: **The Honourable Justice Edwards**



CPD On Demand

Dispute Resolution Clauses: Uses and Analysis – 1 CPD hr

Recent Supreme Court judgments have highlighted the importance of having knowledge of Dispute Resolution clauses when including them in commercial contracts. All too often, Dispute Resolution clauses become part of such agreements with little thought to content or whether they are really needed in the first place. This On Demand webinar will provide guidance on how best to advise clients on what form, if any, Dispute Resolution clauses might take and also insights into how best to tailor them to suit clients' needs.

Presenters: **Paul Cogswell**, Principal, Cogswell Law; **Nick Gillies**, Partner, Hesketh Henry



Privacy in the Digital Age: The Risks and Opportunities of New Technology – 1 CPD hr

Technology and social media are now inescapable aspects of modern life. They provide unique opportunities for individuals to interact with each other and for businesses to interact with consumers and to develop their brands. However, such opportunities raise inevitable legal questions. Privacy issues have, as a result, become increasingly complex. This On Demand webinar will guide lawyers on how their clients' professional and personal privacy may be affected by technology and how to advise clients on avoiding privacy breaches or protecting them from unwanted attention.

Presenters: **Daimhin Warner**, Customer Governance & Privacy Manager, Sovereign Insurance; **Joe Edwards**, Senior Associate, Russell McVeagh



Rural Law Series: Rural Property Transactions – The Do's and Don'ts of Due Diligence – 1 CPD hr

This On Demand webinar provides clear guidance and useful advice to lawyers practising in the area of rural property transactions on what to look out for and potential problems that can arise when undertaking due diligence.

Presenter: **Tim Black**, Partner, Anderson Lloyd



CPD Pricing

Delivery Method	Member Pricing	Non-Member Pricing
Webinar	\$75.00 + GST (= \$86.25 incl. GST)	\$95.00 + GST (= \$109.25 incl. GST)
Seminar (in person)	\$125.00 + GST (= \$143.75 incl. GST)	\$180.00 + GST (= \$207.00 incl. GST)
Seminar (live stream)	\$125.00 + GST (= \$143.75 incl. GST)	\$180.00 + GST (= \$207.00 incl. GST)
On Demand (1-hour recording)	\$85.00 + GST (= \$97.75 incl. GST)	\$110.00 + GST (= \$126.50 incl. GST)
On Demand (2-hour recording)	\$95.00 + GST (= \$109.25 incl. GST)	\$130.00 + GST (= \$149.50 incl. GST)

For group bookings for webinars & CPD On Demand, see the ADLSI website at: www.adls.org.nz/cpd/help-and-faqs/group-bookings/.

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Family Courts Association

Tuesday 9 February 2016
Commencing with drinks at 6pm

Guest Speaker:
Professor Mark Henaghan
Otago University, Faculty of Law
talking on the research of the Otago
Law School on the success of the
family law forms

Venue:
The Commerce Club
27-33 Ohinerau Street, Remuera
\$45 members, \$55 non-members

RSVP by 26 January 2016 to:
Alison Wilcox, Administrator
admin@famcourtsassociation.org.nz
Mobile: 0274 879 006

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The new
ADLSI | **WEBFORMS™**
Launching early 2016

ADLSI will soon be launching a new, fully web-based WebForms system to replace the existing one, in early 2016.

It will offer a significantly enhanced user experience, using the ADLSI forms. New Features will include a personalised dashboard for firms, a firm master template creation feature using the ADLSI forms, calendar reminders, and a form archiving function.

ADLSI will be directly in touch with all current WebForms users with more information leading up to the launch. To find out how to get ready for the new ADLSI WebForms visit www.adls.org.nz or call 09 303 5283.



Visit:
www.adls.org.nz



Call:
09 303 5283



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Please note: the new WebForms system will fully replace the current system from launch day. The current and the new systems will not operate at the same time, so it is important that firms subscribed to WebForms inform themselves using the information supplied, to ensure access to WebForms on launch day. New terms and conditions will also apply to use of the new WebForms system, and ADLSI will inform you of those closer to the launch date.



A Special Offer from Fuji Xerox for ADLSI Members

As a supplier in the ADLSI Member Benefits Programme, Fuji Xerox will target to save ADLSI members 15% – 20% on current copier contract rates for new Fuji Xerox customers.

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For more information and terms and conditions, please contact Carl Cimpoias at Fuji Xerox on 022 313 4177.

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Leaders in Law

Meet our new Faculty Members



Warren Swain, Chris Noonan, Anna Hood, Andrew Erueti, An Hertogen and Craig Elliffe have recently been appointed Faculty members at the Auckland Law School. Their appointments add to our strengths in Public and International Law and in Corporate and Commercial Law.

The Auckland Law School has the largest faculty and offers the widest range of undergraduate and postgraduate law courses in New Zealand. It has the highest entry standards, an extensive study abroad programme, and provides a wealth of opportunities for students to participate in international competitions, community placements, and the Equal Justice Project.

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